UNITED STATES PATENT AND TRADEMARK OFFICE

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10/077,423	02/15/2002	Boris Andreyevich Krasnoiarov	PLM003001	3748

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SAIN, GAUTAM

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 January 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-84* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-84* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1)   This Final rejection is in response to remarks filed on 1/13/06.

2)   claims 1-84 are pending.

Claim Rejections - 35 USC § 103

3)   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3-1)   Claims 1, 2, 16, 17, 30, 31, 33, 46, 47, 61-84 are rejected under 35 U.S.C.

103(a) as being unpatentable over <u>Applicant Admitted Prior Art</u> (hereinafter

"Aapa"), in view of <u>Lowery</u> et al (US 5894554, issued Apr 13, 1999), further in view

of <u>Nazem</u> et al (US 5983227, issued 11/99).

        Regarding claims 1, 16, 31, 46, Aapa teaches receiving a ... components (ie.,

portal displays content to user upon user supplying user ID in the request with other

data)(page 3, lines 10-21).

        Aapa teaches after receiving ... content (ie., call to retrieve CRM content)(page

6, lines 12-20).

        Aapa does not teach, but Lowery teaches sending ... information request (ie.,

multi-threaded ... simultaneous processing)(col 4, lines 40-53)(concurrently processing

...)(col 6, lines 20-32).

Aapa teaches forming ... requests ... transmitting ... client (ie., process

assembles the retrieved content and sends ... user terminal for display)(col 6, lines 18-

24).

Aapa in view of Lowery does not expressly teach the amended portions of the

claims, but Nazem does suggest the claims with the amendments (ie., based on request

from the user, the server queries various third party data providing servers that get data

from these other servers in a parallel manner (fig 2, items 230, 232, 234; col 4, lines 10-

20); where user makes selection of stock quote symbols, team scores and weather one

after another (col 5, lines 45-48) and the page generator generates a custom front page

with live data displayed to the user, item 210, col 3, line 62).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the Aapa to include multi-threading for simultaneous/concurrent

processing of personal web page content generation as taught by Lowery, providing the

benefit of a method for creating personal pages while releasing the Web server to

process other requests on one or more data sources in response to request (Lowery,

Abstract section), further to include a custom page generator that displays based on

user preferences, live data from various sources as taught by Nazem, providing the

benefit of a dynamic page generator (Nazem, Title).

Regarding claims 2, 17, 32, 47, Aapa teaches single request ... Web pag (ie.,

portal displays content to user upon user supplying user ID in the request with other

data)(page 3, lines 10-21).

Aapa teaches forming ... transmitting ... client (ie., process assembles the
retrieved content and sends ... user terminal for display)(col 6, lines 18-24).

Regarding claim 61, 67, 73, 79, Aapa in view of Lowery does not teach, but
Nazem teaches uniquely identifying ... being used (ie., browser with my.yahoo.com,
user can log on anywhere at any terminal that is connected to the Internet)(col 2, line
67).

It would have been obvious to one of ordinary skill in the art at the time of the
invention to modify the Aapa in view of Lowery to include a custom page generator that
displays based on user preferences, live data from various sources that the user can log
onto from anywhere as taught by Nazem, providing the benefit of a dynamic page
generator (Nazem, Title).

Regarding claim 62, 68, 74, 80, Aapa in view of Lowery does not teach, but
Nazem teaches caching ... future request (ie., cache of recently used user template w/
live data stored in local memory)(col 2, lines 2-14).

It would have been obvious to one of ordinary skill in the art at the time of the
invention to modify the Aapa in view of Lowery to include a custom page generator that
displays based on user preferences, live data from various sources that the caches
recently used user templates with live data stored in local memory as taught by Nazem,
providing the benefit of a dynamic page generator (Nazem, Title).

Regarding claims 63, 69, 75, 81, Aapa in view of Lowery does not teach, but
Nazem teaches indexing ... user preferences (ie., user preferences are set for the data
to be displayed on the my.yahoo.com page)(col 2, line 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Aapa in view of Lowery to include a custom page generator that displays based on user preferences, live data from various sources as taught by Nazem, providing the benefit of a dynamic page generator (Nazem, Title).

Regarding claims 64, 70, 76, 82, Aapa in view of Lowery does not teach, but Nazem teaches retrieving one ... component server (ie., data stored in local ... custom page built without requesting other server)(col 2, lines 8-11).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Aapa in view of Lowery to include a custom page generator that displays based on user preferences, live data from various sources that the caches recently used user templates with live data stored in local memory without requesting other sources. as taught by Nazem, providing the benefit of a dynamic page generator (Nazem, Title).

Regarding claims 65, 71, 77, 83, Aapa in view of Lowery does not teach, but Nazem teaches at least one of the cached ... to the indexing (ie., access using user configuration with hash of user name)(col 3, lines 40-48).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Aapa in view of Lowery to include a custom page generator that displays based on user preferences, live data from various sources that access using user configuration with hash of user name as taught by Nazem, providing the benefit of a dynamic page generator (Nazem, Title).

Regarding claims 66, 72, 78, 84, Aapa in view of Lower does not teach, but

Nazem teaches form ... components (ie., custom selection of stock quotes, news,

...)(Abstract section).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the Aapa in view of Lowery to include a custom page generator that

displays based on user preferences, live data from various sources that the caches

recently used user templates with live data stored in local memory as taught by Nazem,

providing the benefit of a dynamic page generator (Nazem, Title).

3-2)   Claims 3, 13, 14, 15, 18, 28, 29, 30, 33, 43, 44, 45, 48, 58, 59, 60 are rejected

under 35 U.S.C. 103(a) as being unpatentable over <u>Applicant Admitted Prior Art</u>

(hereinafter "Aapa"), in view of <u>Lowery</u> et al (as cited above) and Nazem (as cited

above), further in view <u>Greenwood</u> (US 6675212, filed Jun 12, 2000).

Regarding claims 3, 18, 33, 48, Aapa in view of Lowery and Nazem does not

expressly teach, but Greenwood teaches instantiating a timer ... web page (ie., period

of time between additional data request)(col 4,lines 17-20).

Aapa in view of Lowery and Nazem does not expressly teach, but Greenwood

teaches if no response ... steps of ... immediately ... carrying out ... waiting for that

response (ie., user is notified of the failure to obtain the request downloaded; the new

instance of the user interface is created to display in the foreground and given active

control in step 32 of figure 3A – the task is killed and user is notified of the failure where

the user gets displayed a page without the requested downloads and can continue

browsing)(col 9, lines 1-35).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Aapa in view of Lowery and Nazem to include killing a requested

task once a period of time has elapsed and the user is notified of the unsuccessful

attempt and allowed to continue browsing without the requested data as taught by

Greenwood, providing the benefit of an system and method for efficient data browsing

that allows a user to automatically continue with a data browsing session and

automatically receive a requested data file when the requested data file's download is

temporarily delayed (Greenwood, col 3, lines 44-48).

Regarding claims 13, 28, 43, 58, Aapa teaches standard network protocol (ie.,

content components ... communicable via standard network protocol)(page 3, lines 22-

25).

Regarding claims 14, 29, 44, 59, Aapa teaches Aapa teaches ... HTTP ...

(page 3, lines 22-25).

Regarding claims 15, 30, 45, 60, Aapa in view of Lowery and Nazem does not

expressly teach, but Greenwood teaches generating a state machine ... request; and

recursively ... information request (ie., system monitors the download process and

delivers progress indicators to users of download delays and processes termination

request after some time has elapsed)(col 7, lines 29-40; col 9, lines 1-49).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Aapa in view of Lowery and Nazem to a system that monitors a

download process and delivers progress indicators to users of downloading delays and

processes termination requests after some time has elapsed as taught by Greenwood,

providing the benefit of an system and method for efficient data browsing that allows a

user to automatically continue with a data browsing session and automatically receive a

requested data file when the requested data file's download is temporarily delayed

(Greenwood, col 3, lines 44-48).

3-3)   Claims 4, 5, 6, 7, 8, 9, 10, 11, 12, 19, 20, 21, 22, 23, 24, 25, 26, 27, 34, 35, 36,

37, 38, 39, 40, 41, 42, 49, 50, 51, 52, 53, 54, 55, 56, 57 are rejected under 35 U.S.C.

103(a) as being unpatentable over Applicant Admitted Prior Art (hereinafter

"Aapa"), in view of Lowery et al (as cited above) and Nazem (as cited above),

further in view of Greenwood (as cited above), further in view of Anuff et al (US

6327628, filed May 19, 2000).

> **Regarding clams 4, 19, 34, 49**, Aapa in view of Lowery, Nazem and Greenwood

does not expressly teach, but Anuff teaches "converting ... format" (ie., different

platforms ... JSP or ASP ;Portal server allows for JSP, ASP using the same JAVA

libraries)(col 2, lines 60-67)(Manager and services ... configuration ... data driven

resolution ... runtime resolution)(col 4, line 16 – col 5, line 67).

> It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Aapa in view of Lowery, Nazem, Greenwood to include a method to

deal different platforms with data driven resolution as taught by Anuff, providing the

benefit of a portal server that enables various resources to be controlled by the

independent entities without affecting the portal, where individual businesses and other

entities can exercise complete ownership of their portals, ... (Anuff, Abstract section).

Regarding claims 5, 20, 35, 50, Aapa in view of Lowery, Nazem and

Greenwood does not expressly teach, but Anuff teaches "common ... markup language"

(ie., code generated by the portal server in HTML – where converted data is presented

in a common layout/sytle...)(col 4, line 20).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Aapa in view of Lowery, Nazem and Greenwood to include a

method to deal different platforms with data driven resolution on a HTML based platform

as taught by Anuff, providing the benefit of a portal server that enables various

resources to be controlled by the independent entities without affecting the portal, where

individual businesses and other entities can exercise complete ownership of their

portals, ... (Anuff, Abstract section).

Regarding claims 6, 21, 36, 51, Aapa in view of Nazem, Greenwood and Anuff

does not expressly teach, but Lowery teaches "coverting ... servers" (ie., page servers

incorporates data from multiple data sources into single page, which resides on a

separate machine responsible for maintaining a connection cache for serving those

specific components to the client and these are processed on different servers than the

web server)(col 5, lines 40-65; lines 10-19).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the Aapa in view of Greenwood and Anuff to include data is

incorporated from multiple data sources into a single page as taught by Lowery,

providing the benefit of a method for creating personal pages while releasing the Web

server to process other requests on one or more data sources in response to request (Lowery, Abstract section).

Regarding claim 7, 22, 37, 52, Aapa in view of Lowery, Nazem and Greenwood does not expressly teach, but Anuff teaches converting step ... user terminal (ie., different platforms ... JSP or ASP ;Portal server allows for JSP, ASP using the same JAVA libraries)(col 2, lines 60-67)(Manager and services ... configuration ... data driven resolution ... runtime resolution)(col 4, line 16 – col 5, line 67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Aapa in view of Lowery, Nazem and Greenwood to include a method to deal different platforms with data driven resolution at the main server during runtime as taught by Anuff, providing the benefit of a portal server that enables various resources to be controlled by the independent entities without affecting the portal, where individual businesses and other entities can exercise complete ownership of their portals, ... (Anuff, Abstract section).

Regarding claims 8, 23, 38, 53, Aapa teaches corporate portal server (ie., corporate portals)(page 2, lines 20-30).

Regarding claims 9, 24, 39, 54, Aapa teaches Internet portal server (ie., personalized "web portals")(page 2, lines 20-30)(Internet)(col 5, line 2).

Regarding claims 10, 25, 40, 55, Aapa teaches "each of the ... physically separate ... protocol" (ie., weather server 202 is separate from the News server 206 and connected on the standard network protocol)(page 4, lines 23-30; fig 2, items 202-206, 220).

Regarding claims 11, 26, 41, 56, Aapa teaches ... HTTP ... (page 3, lines 22-

25).

Regarding claims 12, 27, 42, 57, Aapa teaches first component server ...

management servers (ie., email server)(page 5, lines 10-15)(CRM ... email)(page 6,

lines 12-20).

Response to Arguments

Applicant's arguments filed 1/13/06 have been fully considered but they are not

persuasive. Applicant argues (page 3, middle) that AAPA in view of Lowery and Nazem

does not teach the limitations of claim 1, specifically concurrent generation of the

content component at the content servers for a personalized network page. Examiner

disagrees and contends that the combination of the art of record does teach the

limitations of this claim. Specifically, Lowery discloses a page server that can

concurrently process web client requests to simultaneously process different requests,

whereby a page server dynamically generates a web page in response the web client

request (col 6, lines 20-32). This can be seen in Fig 4, where the page servers (404(1)-

(n) connect with disperate data sources (406-410) to obtain data which is later sent

back to the requesting web client. In fact, page server 404(1) sends more than 1

request, one to data source 406 and a second request to data source 408 concurrently.

The web page is then either transmitted back to requesting web client 200 or stored on

a machine that is accessible to Web server 201, for later retrieval (this corresponds to

applicant's claims for caching)(col 6, lines 29-32; lines 56-59). The motivation to do

concurrent processing is found in Lowery itself for increasing the efficiency of the web

site (col 6, line 27).

Applicant argues (page 3, middle to bottom) that Nazem specifically talks about

recover in case of a server crash. Examiner disagress that Nazem does not at the least

suggest portions of the claimed invention. Nazem does teach about customized web

page where information is derived from disparate data sources. Nazem's discussion

about recover after a page server crash is only to deal with the exceptional situation of

the page server crashing and the system maintaining a backup in the cash so the user

is provided with some default page rather than an undesirable error page. Nazem is

not read to be limited to error recovery situations.

Applicant argues on page 4 that Nazem does not teach parallel worker threads

spawned from a main execution thread. Examiner asserts that Nazem in view of does

Lowery does teach this. Specifically, Lowery discloses a page server that can

concurrently process web client requests to simultaneously process different requests,

whereby a page server dynamically generates a web page in response the web client

request (col 6, lines 20-32). This can be seen in Fig 4, where the page servers (404(1)-

(n) connect with disperate data sources (406-410) to obtain data which is later sent

back to the requesting web client. In fact, page server 404(1) sends more than 1

request, one to data source 406 and a second request to data source 408 concurrently.

The web page is then either transmitted back to requesting web client 200 or stored on

a machine that is accessible to Web server 201, for later retrieval (this corresponds to

applicant's claims for caching)(col 6, lines 29-32; lines 56-59).

Applicant fails to distinguish the inventive features in the disclosure from the prior

art of record. Applicant's Summary section talks about overcoming the approach of the

sequential execution of the retrieval process (bottom of page 6), however, the prior art

of record (Nazem in view of Lowery) does disclose (or at least suggest) a cure for this

need (see Lowery, col 5, lines 38-40; col 6, lines 20-32). With the broadest reasonable

interpretation of the claim language for "parallel", the examiner interprets the language

of Lowery, "concurrently" or "simultaneously" as functional equivalent. Applicant's

arguments focus on Nazem's lack of teaching parallel processing, but do not specifically

address Lowery's teaching of this limitation.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 571-272-4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

G.S

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